

# Daily Digest

## HIGHLIGHTS

Senate agreed to S. Res. 83, commending Dr. Lloyd J. Ogilvie, Chaplain of the United States Senate.

Senate passed S. 3, Partial-Birth Abortion Ban Act.

The House passed H.R. 5, Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S3649–S3764*

**Measures Introduced:** Nineteen bills and eleven resolutions were introduced, as follows: S. 610–628, S.J. Res. 9, S. Res. 83–89, and S. Con. Res. 20–22.

Pages S3729–31

#### Measures Reported:

Special Report entitled “Legislative Activities Report, 107th Congress”. (S. Rept. No. 108–19)

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#### Measures Passed:

**Commending Senate Chaplain:** Senate agreed to S. Res. 83, commending the service of Dr. Lloyd J. Ogilvie, the Chaplain of the United States Senate.

Pages S3650–52

**Partial-Birth Abortion Ban Act:** By 64 yeas to 33 nays (Vote No. 51), Senate passed S. 3, to prohibit the procedure commonly known as partial-birth abortion, as amended.

Pages S3653–62

**Gila River Indian Community Judgment Fund Distribution Act:** Senate passed S. 162, to provide for the use of distribution of certain funds awarded to the Gila River Pima-Maricopa Indian Community.

Pages S3753–54

**Zuni Indian Tribe Water Rights Settlement Act:** Senate passed S. 222, to approve the settlement of the water rights claims of the Zuni Indian Tribe in Apache County, Arizona.

Pages S3755–59

**Designating Additional Joint Committee on Printing Member:** Senate agreed to S. Con. Res. 20, permitting the Chairman of the Committee on Rules and Administration of the Senate to designate another member of the Committee to serve on the

Joint Committee on Printing in place of the Chairman.

Page S3759

**Printing and Library Joint Committee Membership:** Senate agreed to S. Res. 84, providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

Pages S3759–60

**Fire Safety:** Senate agreed to H. Con. Res. 85, expressing the sense of the Congress with regard to the need for improved fire safety in nonresidential buildings in the aftermath of the tragic fire on February 20, 2003, at a nightclub in West Warwick, Rhode Island.

Pages S3760–61

**Senate Legal Representation:** Senate agreed to S. Res. 86, to authorize testimony and legal representation in *W. Curtis Shain v. Hunter Bates, et al.*

Page S3761

**Commemorating National Wildlife Refuge System Anniversary:** Senate agreed to S. Res. 87, commemorating the Centennial Anniversary of the National Wildlife Refuge System.

Pages S3761–62

**Honoring Former Senator James L. Buckley:** Senate agreed to S. Res. 88, honoring the 80th birthday of James L. Buckley, former United States Senator for the State of New York.

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**Honoring Orville L. Freeman:** Senate agreed to S. Res. 89, honoring the life of former Governor of Minnesota Orville L. Freeman, and expressing the deepest condolences of the Senate to his family on his death.

Pages S3762–63

**Tributes to Dr. Lloyd Ogilvie—Agreement:** A unanimous-consent agreement was reached providing that tributes to Dr. Lloyd Ogilvie, the retiring Senate Chaplain, be printed as a Senate Document, and

that Members have until 12 noon, Friday, March 21 to submit tributes. **Page S3763**

**Nomination Considered:** Senate resumed consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia.

**Pages S3668–78, S3693–94, S3698–99**

During consideration of this measure today, Senate also took the following action:

By 55 yeas to 42 nays (Vote No. 53), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination.

**Page S3693**

A third motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Tuesday, March 18, 2003. **Pages S3693, S3698–99**

**Budget Resolution—Agreement:** A unanimous-consent agreement was reached providing that at 2 p.m., on Monday, March 17, 2003, Senate proceed to the consideration of the first concurrent budget resolution, if it has been properly reported by that time.

**Page S3699**

A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the Committee on the Budget have from 11 a.m. until 12 noon on Friday, March 14, 2003, to report legislative matters.

**Page S3763**

**Executive Reports of Committees:** Senate received the following executive reports of a committee:

Report to accompany Convention With Great Britain And Northern Ireland Regarding Double Taxation And Prevention Of Fiscal Evasion (Treaty Doc. 107–19) (Ex. Rept. 108–2)

**Page S3729**

Report to accompany Protocol Amending Convention With Australia Regarding Double Taxation And Prevention Of Fiscal Evasion (Treaty Doc. 107–20) (Ex. Rept. 108–3)

**Page S3729**

Report to accompany Second Additional Protocol Modifying Convention With Mexico Regarding Double Taxation And Prevention Of Fiscal Evasion (Treaty Doc. 108–3) (Ex. Rept. 108–4)

**Page S3729**

**Treaties Approved:** The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolutions of ratification were agreed to:

Convention with Great Britain and Northern Ireland regarding Double Taxation and Prevention of Fiscal Evasion (Treaty Doc. 107–19).

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Protocol Amending Convention with Australia Regarding Double Taxation and Prevention of Fiscal Evasion (Treaty Doc. 107–20).

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Second Additional Protocol Modifying Convention with Mexico Regarding Double Taxation and Prevention of Fiscal Evasion (Treaty Doc. 108–3)

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**Messages From the President:** Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the 6-month periodic report relative to the national emergency with respect to Iran; to the Committee on Banking, Housing, and Urban Affairs. (PM–23)

**Pages S3726–27**

Transmitting, pursuant to law, a notice stating that the emergency declared with respect to the Government of Iran is to continue beyond March 15, 2003; to the Committee on Banking, Housing, and Urban Affairs. (PM–24)

**Page S3727**

**Nominations Confirmed:** Senate confirmed the following nominations:

By unanimous vote of 97 yeas (Vote No. Ex. 52), Thomas A. Varlan, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

**Page S3662**

By 74 yeas 19 nays (Vote No. EX. 54), Jay S. Bybee, of Nevada, to be United States Circuit Judge for the Ninth Circuit.

**Page S3695**

By unanimous vote of 92 yeas (Vote No. Ex. 55), J. Daniel Breen, of Tennessee, to be United States District Judge for the Western District of Tennessee.

**Page S3698**

William H. Steele, of Alabama, to be United States District Judge for the Southern District of Alabama.

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**Nominations Received:** Senate received the following nominations:

R. Hewitt Pate, of Virginia, to be an Assistant Attorney General.

David G. Campbell, of Arizona, to be United States District Judge for the District of Arizona.

Helen R. Meagher La Lime, of Florida, to be Ambassador to the Republic of Mozambique.

36 Army nominations in the rank of general.

**Pages S3763–64**

**Messages From the House:**

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**Measures Referred:**

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**Measures Placed on Calendar:**

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**Measures Held at Desk:**

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**Executive Communications:**

**Pages S3727–29**

**Petitions and Memorials:**

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**Executive Reports of Committees:**

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<b>Additional Cosponsors:</b>	<b>Pages S3731–32</b>
<b>Statements on Introduced Bills/Resolutions:</b>	<b>Pages S3732–52</b>
<b>Additional Statements:</b>	<b>Pages S3724–26</b>
<b>Notices of Hearings/Meetings:</b>	<b>Page S3752</b>
<b>Authority for Committees to Meet:</b>	<b>Page S3752</b>
<b>Privilege of the Floor:</b>	<b>Page S3752</b>

**Record Vote:** Five record votes were taken today. (Total—55) **Pages S3658, S3662, S3693–94, S3695, S3698**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 7:20 p.m., until 1 p.m., on Monday, March 17, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3763.)

## Committee Meetings

(Committees not listed did not meet)

### MEDICAL LIABILITY CRISIS

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies hearings to examine causes of the medical liability insurance crisis, focusing on proposals to reform the medical litigation system, after receiving testimony from Claude A. Allen, Deputy Secretary of Health and Human Services; Peter R. McCombs, Pennsylvania Hospital, Philadelphia; Donald M. Berwick, Institute for Healthcare Improvement, Boston, Massachusetts; Jay Angoff, Rogert C. Brown and Associates, Jefferson City, Missouri; James D. Hurley, Atlanta, Georgia, on behalf of the American Academy of Actuaries; Brian Holmes, Hagerstown, Maryland; Linda McDougal, Woodville, Wisconsin; and Leanne Dyess, Vicksburg, Mississippi.

### APPROPRIATIONS: VA

*Committee on Appropriations:* Subcommittee on Veterans' Affairs, Housing and Urban Development, and Independent Agencies concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Veterans Affairs, after receiving testimony from Anthony J. Principi, Secretary of Veterans Affairs.

### DEFENSE AUTHORIZATION: UNIFIED COMMANDS

*Committee on Armed Services:* Committee concluded hearings in open and closed session to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense and the Future Years Defense Program, focusing on military strategy and operational requirements in of the unified and

regional commands, after receiving testimony from Adm. Thomas B. Fargo, USN, Commander, United States Pacific Command; Gen. Leon J. LaPorte, USA, Commander, United Nations Command, United Nations Command, Republic of Korea-United States Combined Forces Command, and United States Forces in Korea; and Gen. James T. Hill, USA, Commander, United States Southern Command.

### DEFENSE AUTHORIZATION

*Committee on Armed Services:* Subcommittee on Readiness and Management Support concluded hearings on proposed legislation authorizing funds for the Department of Defense for fiscal year 2004, focusing on the impacts of environmental laws on readiness and the related Administration legislative proposal, after receiving testimony from General John M. Keane, USA, Vice Chief of the Army; Admiral William J. Fallon, USN, Vice Chief of Naval Operations; General William L. Nyland, USMC, Assistant Commandant of the Marine Corps; General Robert H. Foglesong, USAF, Vice Chief of the Air Force; and Benedict S. Cohen, Deputy General Counsel for Installation and Environment, Department of Defense.

### 2004 BUDGET: FEDERAL TRANSIT ADMINISTRATION

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded hearings to examine the President's proposed budget request for fiscal year 2004 for the Federal Transit Administration, after receiving testimony from Jennifer L. Dorn, Administrator Federal Transit Administration, Department of Transportation.

### 2004 BUDGET

*Committee on the Budget:* Committee ordered favorably reported an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the following business items:

S. 579, to reauthorize the National Transportation Safety Board;

S. 275, to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration, with an amendment in the nature of a substitute;

S. 196, to establish a digital and wireless network technology program, with amendments;

S. 165, to improve air cargo security, with amendments; and